

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BRANDON JOHN HOLLIMON, LEGION
DESIGNS,

Plaintiff,

v.

MEAGAN BURDO, BRANDON JOHN
HOLLIMON LLC, GODADDY,

Defendants.

Case No. 2:21-cv-01678-RFB-EJY

ORDER

Pending before the Court is an Application to Proceed in Forma Pauperis that appears to have been filed by “LegalReferralServices.com” on behalf of Legion Product Designs. ECF No. 1. There are several problems with this filing. First, the filing is not on the Court’s approved form. U.S. District Court for the District of Nevada requires applications to proceed *in forma pauperis* to be filed on court approved forms. *See* LSR 1-1 (“Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*. The application must be made on the form provided by the court and must include a financial affidavit disclosing the applicant’s income, assets, expenses, and liabilities.”) Second, under Local Rule IC 5-1(b) “[t]he signatory must be the attorney or pro se party who electronically files the document.” (Emphasis added.) Here, the pro se party did not sign the document. Third, the *in forma pauperis* application and the complaint (ECF No. 1-2) identify different plaintiffs and defendants. Thus, the Court does not know who is proceeding against whom in this matter.

Accordingly, IT IS HEREBY ORDERED that the Application to Proceed in Forma Pauperis (ECF No. 1) is DENIED without prejudice.

IT IS FURTHER ORDERED that if the plaintiff wishes to refile its/his/her application to proceed *in forma pauperis*, the plaintiff must state its/his/her name, address, telephone number, and email address on the top left hand corner of the filing. The same party or parties who is/are suing must be named in the caption, and that plaintiff must be the signatory on the Court’s form. By way

1 of example only, if Legion Designs wishes to file an *in forma pauperis* application,
2 LegalReferralServices.com cannot be identified as the name of the filer and cannot sign the
3 application. The application must identify Legion Designs as the filer and the application must be
4 signed by an authorized representative of Legion Designs.

5 IT IS FURTHER ORDERED that if a plaintiff or plaintiffs wish/wishes to proceed with a
6 complaint before the federal court, that plaintiff or plaintiffs must be the same entity and/or person
7 who files the *in forma pauperis* application. The defendant identified in the *in forma pauperis*
8 application must be the same defendant as identified in the complaint. For example, the caption on
9 the application to proceed *in forma pauperis* filed by Legion Designs against GoDaddy is not
10 properly filed together with a complaint in which the plaintiff is Brandon John Hollimon and the
11 defendant is Megan Alexa Burdo.

12 IT IS FURTHER ORDERED that the plaintiff is granted a one-time opportunity to file an
13 amended complaint correcting the parties' names and filings to comply with the Local Rules
14 identified and discussed above.

15 IT IS FURTHER ORDERED that if plaintiff chooses to file an *in forma pauperis* application
16 and amended complaint, he must do so on or before **October 29, 2021**.

17 IT IS FURTHER ORDERED that the Clerk of Court shall mail to Brandon John Hollimon a
18 copy of the Court's forms and instructions for filing an *in forma pauperis* application by a non-
19 prisoner.

20 IT IS FURTHER ORDERED that each plaintiff need not file multiple applications to proceed
21 *in forma pauperis* or amended complaints. One copy of each document is all the Court needs to
22 consider the application and complaint. The filing party is advised that all plaintiffs and all
23 defendants may appear on a single amended complaint if the parties are properly joined. The
24 plaintiff is advised that if a plaintiff seeks to file complaints based on claims that do not arise from
25 a common set of facts and are not dependent on the same law, each plaintiff must file an *in forma*
26 *pauperis* application and a separate complaint for each action the plaintiff wishes to bring.

1 IT IS FURTHER ORDERED that failure to comply with the terms of this Order will result
2 in a recommendation to dismiss this action without prejudice.

3 Dated this 14th day of September, 2021.

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5 ELAYNA J. YOUCHAH
6 UNITED STATES MAGISTRATE JUDGE
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